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REMARKS

This Amendment responds to the Office Action of December 8, 2004.

Claims 1-24 remain in this application. Claims 13, 18, and 20 have been amended.

Claims 1, 13, and 22-24 are independent.

The Office Action rejected claims 13-21 under 35 U.S.C. § 112, second paragraph

as being indefinite. The Office Action rejected all 24 of the pending claims under 35

U.S.C. § 102(e) as being anticipated by Hauk et al. (U.S. Patent Application Publication

No. 2003/0126068). These bases for rejection are addressed below.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

The Office Action rejected claim 13 as lacking sufficient antecedent basis for the

limitation "said message" recited at paragraph 2, line 2. The Office Action rejected claim

18 as lacking sufficient antecedent basis for the limitation "said message match" recited

at paragraph 2, line 2. The Office Action rejected claim 20 as lacking sufficient

antecedent basis for the limitation "said reply match" recited at paragraph 2, line 2.

Applicants have amended claims 13, 18, and 20 to eliminate any antecedent basis

problems.

Claim Rejections Under 35 U.S.C. § 102(e), Based On Hauk et al.

Claims 1-26 are directed to various aspects of enabling a sender of a financial

message adhering to publicly-known field delimited protocol, such as the Financial

Information Exchange (FIX) Protocol, to communicate a coded message having a

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meaning outside of the publicly-known protocol. The FIX Protocol is an open standard specification for automating the trading of financial instruments that members of the financial community originated in 1992. The FIX protocol was created for the purpose of streamlining a pre-existing manual process with a uniform, direct, computer-to computer mechanism for communicating interests in buying and selling, orders to buy and sell, and reports of purchases and sales of financial instruments. The present invention provides the benefits of removing the constraints of the specifications of the publicly-known field delimited protocol (*i.e.*, enabling buyers and sellers to communicate using messages other than the particular messages that are specified within the protocol), without adding additional cost or losing the benefits of using a publicly-known protocol for trading financial instruments.

In the Office Action, claims 1 and 22 were rejected as anticipated by Hauk et al. The Office Action contended that Hauk et al. "teach a method for securely communicating financial information, comprising: receiving over an electronic network a coded message comprising an entry in a field delimited protocol; and interpreting the coded message to have a different meaning from a publicly-known meaning for entries in the specified field. (Office Action at 3 (citing Hauk et al. ¶¶ 0016, 0018-0022, 0039-0040, 0050, 0062, 0076, 0077.) Applicant respectfully disagrees.

Hauk et al. is directed to a virtual trading floor system that simulates in real time the trading action of actual buying and selling traders in a financial market and graphically represents those simulated traders in a visual display of virtual images. (*See,*

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e.g., Abstract, ¶¶ 0011-0015.) The system of Hauk uses a coder/decoder to receive and transmit data in connection with orders made on the virtual trading floor (Hauk et al. ¶¶ 0016, 0018-0022, 0039-0040, 0050, 0062, 0076, 0077), but it does not teach or disclose receiving over an electronic network a coded message comprising an entry in a specified field of a field delimited communication protocol; and interpreting said coded message to have a meaning different from a publicly-known meaning for entries in said specified field as recited in claim 1 and its dependent claims.

Hauk et al. does not teach or disclose a method for securely communicating financial information, comprising receiving over a first electronic computer network a first message, said message comprising a first entry in a specified field of a field delimited communication protocol; transmitting over a second electronic computer network, a second message, said second message comprising a second entry in said specified field of said field delimited communication protocol; and at least one said first and second messages being encoded, wherein each encoded message is intended to have a meaning different from a publicly-known meaning for entries in said specified field; wherein, said first and second electronic network, said first and second entries, and said first and second messages are not necessarily distinct as recited in claim 13 and its dependent claims. Hauk et al. also does not teach or disclose the apparatus recited in claims 22, 23, and 24.

Indeed, Hauk et al. has nothing whatsoever to do with communicating using field delimited protocols or the specific FIX Protocol. The words "field delimited protocol"

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and FIX Protocol do not appear anywhere in the text of Hauk et al. Thus, Applicant

respectfully disagrees with the Office Action that Hauk et al. anticipates any of claims 1-

24. Applicant respectfully requests that the rejections based on Hauk et al. be withdrawn.

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Conclusion

In light of the foregoing amendments and remarks, Applicant respectfully submits

that claims 1-24 are patentably distinct over the prior art of record, that the application is

in proper form for allowance of all claims, and earnestly solicits a notice to that effect.

Respectfully submitted,

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